



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES August 30, 2022 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

CITY COUNCIL REGULAR MEETING MINUTES

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Regular Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Jensen, Legband, Gibson and Vaughan present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the August 30, 2022 Regular Meeting. Motion made by Gibson, Seconded by Sookram to adopt current agenda for the August 30, 2022 Regular Meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2022-145 Class D liquor license application of Sunrise Group Inc. dba Expressway Food Mart, at 209 S. Bell St. Motion made by Legband, Seconded by Sookram to receive Police Department Report into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Jensen to approve Resolution 2022-145. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
3. Resolution 2022-146 Class D liquor license application of Sunrise Group Inc. dba Expressway Food Mart, at 1800 E. Military Ave. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Ganem to approve Resolution 2022-146. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion

carried.

4. Resolution 2022-147 to allow a Conditional Use Permit for an Outdoor Commercial Recreation use for Woody's Airboat Tours generally located at 2865 and 2835 Big Island Road. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Ganem to approve Resolution 2022-147. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
5. Ordinance 5628 requesting Change of Zone from R,Rural to GI, General Industrial for approximately 10.98 acres generally located at 602 E. County Road T, Fremont, NE. Motion made by Jensen, Seconded by Yerger to continue the item to the next City Council Meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Gibson, seconded by Legband to approve consent agenda items 6-14, 16 & 20-23. Voting Yea: Gibson, Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

6. Motion to approve August 10, 2022 through August 30, 2022 claims and authorize checks to be drawn on the proper accounts
7. Dispense with and approve August 9, 2022 Regular and August 15, 2022 Special City Council Meeting Minutes
8. Receive July 2022 animal reports
9. Resolution 2022-148 authorizing a service agreement for LDW Power Plant, Atlas Copco Air Compressors installed and utilized as a part of the Air Quality Control System
10. Resolution 2022-150 approving Class C Liquor License Renewals 2022-2023
11. Motion to authorize the Mayor to sign Deed of Reconveyance for property located at 1034 E. 8th St.
12. Resolution 2022-151 authorizing staff to issue a change order for a JLG Toucan 26E Mast Boom Lift from Nebraska Machinery Cat
13. Motion to Receive Report on Final Cost of the Turbine Repairs on Lon D. Wright Unit 8
14. Resolution 2022-152 approving the request of Reinita Enterprises LLC and Fremont Opera House to use City parking lot located North of the Opera House and authorize City Clerk to issue special designated permit for Hispanic Festival
15. Resolution 2022-153 Approving Renewal of BestCare Program. Motion made by Vaughan, Seconded by Legband to amend the resolution to provide for a two year renewal throughout. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, Seconded by Yerger to

approve Resolution 2022-153 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

16. Motion to approve Cement Work/Asphalt/Excavate license application of, TelCom Construction, LLC & Roll Enterprises, Inc
17. Move to confirm appointment of Mason Ingram as Firefighter/EMT per Mayor recommendation. Motion made by Sookram, Seconded by Vaughan to confirm appointment of Mason Ingram as Firefighter/EMT per Mayor recommendation. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
18. Motion to approve the recommendation of the Mayor to reappoint Ryan Fiala to the Library Board with a term ending August 2026. Motion made by Yerger, Seconded by Gibson to approve the recommendation of the Mayor to reappoint Ryan Fiala to the Library Board with a term ending August 2026. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
19. Motion to approve the Mayor's appointment of Joy McKay to the Planning Commission with a term ending April 30, 2023. Motion made by Legband, Seconded by Ganem to approve the Mayor's appointment of Joy McKay to the Planning Commission with a term ending April 30, 2023. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
20. Resolution 2022-154 to approve Doyle Acker Excavating to demolish 1506 E Dodge Street
21. Approve Resolution 2022-155 to accept proposal from Great Plains Communications
22. Resolution 2022-156 to accept proposal from Access Systems
23. Resolution 2022-157 to accept NCPA (National Cooperative Purchasing Alliance) contract #05-26 bid to purchase 1 (one) mastic machine
24. Resolution 2022-158 Authorizing Mayor to Sign Municipal Annual Certification of Program Compliance Form. Motion made by Yerger, Seconded by Vaughan to approve Resolution 2022-158. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
25. Council Member Ellis item - Motion to commission City Administration and Legal to investigate and prepare, for Council consideration at the September 27, 2022 meeting, a proposal that would facilitate using a portion of the City's ARPA funds for Premium Pay to full-time Police officers Firefighters, Emergency Medical Service (EMS) responders, and Dispatchers for time spent responding to the COVID-19 pandemic. Motion made by Ganem, Seconded by Legband to continue the item to a future meeting where use of the entire ARPA funding would be discussed. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

26. Resolution 2022-149 authorizing contract for City Physicians Clinic, Inc., dba Methodist Physicians Clinic. Motion made by Yerger, Seconded by Gibson to continue the contract

approval to the next meeting preceded by modification of Ordinance 5624 to reflect \$100 per hour pay. Voting Yea: Ellis, Ganem, Gibson, Sookram, Yerger Voting Nay: Jensen, Legband, Vaughan. Motion carried.

NEW BUSINESS: Requires individual associated action

27. Council Member Yerger & Council Member Ganem item - Ordinance 5629 amending Chapter 5, Article 3 of the Fremont Municipal Code Sec. 5-301. - Speed regulations. Motion made by Vaughan, Seconded by Ganem to introduce and hold first reading of Ordinance 5629. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Yerger to suspend the rules and move to final reading of Ordinance 5629. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Ordinance 5629 was approved.
28. Motion to confirm stop loss coverage with QBE at \$175,000 Individual Stop Loss and \$50,000 Aggregate Stop Loss. Motion made by Gibson, Seconded by Sookram to confirm stop loss coverage with QBE at \$175,000 Individual Stop Loss and \$50,000 Aggregate Stop Loss. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
29. Resolution 2022-159 awarding bid of FORVIS, LLP for financial statement audit services for the fiscal years. Motion made by Vaughan, Seconded by Sookram to approve Resolution 2022-159. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
30. Resolution 2022-160 to decline participation in the joint public hearing for political subdivisions requesting an increase in its property tax request of greater than the allowable growth percentage. Motion made by Jensen, Seconded by Ganem to approve Resolution 2022-160. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
31. Executive session to discuss update regarding pending litigation. Moved by Jensen, seconded by Legband to go into executive session to discuss update regarding pending litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for strategy session with respect to discussing update regarding pending litigation and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Ganem, Sookram, Yerger, Ellis, Legband, Vaughan, Gibson and Jensen. Motion carried. The Mayor stated that the motion to go into executive session for discussing update regarding pending litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing strategy session with respect to update regarding pending litigation . No official actions or votes will be taken during the executive session. Time in: 8:32 p.m. Moved by Gibson, seconded by Jensen to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, Legband, Sookram, Ganem, Vaughan, Gibson and Jensen. Motion carried. Time out: 8:49 p.m.

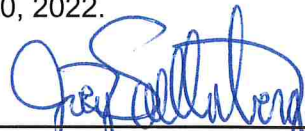
ADJOURNMENT Motion made by Jensen, seconded by Sookram to adjourn; time: 8:50 P.M.
Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Gibson and Jensen. Motion carried.

Agenda posted at the Municipal Building on August 24, 2022 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on August 24, 2022. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
REGULAR CITY COUNCIL MEETING MINUTES FOR AUGUST 30, 2022.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor